United Nations S/PV.4309

Security Council

Fifty-sixth year

Provisional

4309th meeting

Monday, 9 April 2001, 10.50 a.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Shen Guofang
	Colombia	Mr. Franco
	France	Mr. Levitte
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kulyk
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-32572 (E)

The meeting was called to order at 11 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1998) and 1244 (1999)

The President: I shall be presiding over this meeting in informal style, as we did with the meeting on East Timor on 6 April. The Council should be aware that I have received a letter from the representative of Yugoslavia, in which he asked to participate in this morning's discussion, so I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sahović (Yugoslavia), took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Guéhenno to take a seat at the Council table.

The Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

This meeting will start with a briefing from the Under-Secretary-General after his recent visit to the region and will pursue an interactive style, whereby members of the Council can, after the briefing, apply to the presidency, as we often do in informal consultations. If speakers raise questions, I may turn to Mr. Guéhenno during the course of the discussion so that he can pick up questions as we go along.

I understand that some non-Council members would like to speak. I shall invite them to come to the table as they have applied.

I now give the floor to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

Mr. Guéhenno: I am pleased to provide members of the Security Council with an update on the developments in Kosovo since the last briefing, which was made by Special Representative of the Secretary-General Haekkerup on 16 March. I am also pleased indeed to be able to provide Council members with some personal insights since, as the President remarked, I paid a visit to Kosovo last week.

I will comment on the progress in the priority areas outlined by Mr. Haekkerup at the beginning of his tenure as Special Representative of the Secretary-General, as well as on recent developments in the former Yugoslav Republic of Macedonia that have had a negative impact on the United Nations Interim Administration Mission in Kosovo (UNMIK) and on Kosovo as a whole over the past couple of weeks.

The first priority set by Special Representative Haekkerup was the development of a Kosovo legal framework as a precondition for Kosovo-wide elections. UNMIK continues to be engaged in an intensive exercise to elaborate the legal framework for provisional self-government. The joint Working Group constituted for this purpose is discussing areas of responsibility to be transferred under a provisional self-government, the composition of an assembly and the electoral system to be used. To date, a skeleton structure for a legal framework for provisional self-government has been elaborated. It includes headings on powers and responsibilities, the legislature, the executive, human rights, community rights and an ombudsperson. General agreement has been reached on elements to be included in the framework's preamble, as well as on the chapters on basic provisions and the principles to be observed by the provisional institutions of self-government.

The Kosovo Albanian members of the Working Group have, predictably, advocated the fullest possible transfer of authority to local control following Kosovo-wide elections, and they persist in their demand to name the document an interim constitution. It has been made very clear that crucial areas of responsibility will remain under the direct authority of the Special Representative of the Secretary-General — areas such as law enforcement, external relations, community rights protection and ultimate budgetary control. Throughout the consultations, UNMIK has staunchly

advocated the protection of the rights and interests of all communities and the sovereignty and the territorial integrity of the Federal Republic of Yugoslavia, in accordance with Security Council resolution 1244 (1999).

As the Council is aware, there is still no Kosovo Serb representation in the Working Group. UNMIK continues to encourage the Kosovo Serb community to resume participation. That was one of the issues discussed between Special Representative Haekkerup and President Kostunica in their meeting on Thursday, 5 April. During that meeting, President Kostunica indicated his support for the participation of a Kosovo Serb expert, as long as such representation can be backed up by expert support. The Special Representative supported that and indicated that UNMIK would take specific steps to ensure that the authorities of the Federal Republic of Yugoslavia are also informed directly about the work on the legal framework, as requested in the Council's presidential statement of 16 March 2001.

Kosovo's other communities are actively engaged in the consultation process. To ensure inclusiveness, a consultation mechanism has been created for those representatives of minority communities not directly represented in the Working Group. To date, representatives of the Kosovo Bosniac, Turkish, Roma, Ashkalija and Gorani communities have met twice with the Kosovo Bosniac member of the Working Group to discuss their input into the process. To facilitate that input, representatives of all the communities have received the documentation forming the basis of the Working Group's deliberations. The Working Group is scheduled to complete its work in the very near future. In that respect, I would indeed hope that the Kosovo Serb representation, as it was agreed in Belgrade last Thursday, materializes in the very near future.

Once the Working Group has finished its work, the Special Representative will conduct consultations with the international community, countries of the region — including Belgrade — and, first and foremost, the representatives of the communities of Kosovo. Only then will he take the final decision on the legal framework. As I told the Kosovars during my visit, I believe that the progress made so far will make elections possible this year.

Alongside the elaboration of the legal framework, a key aspect is the establishment of democratically functioning municipal assemblies, an area in which further progress has been made. As UNMIK continues to devolve competencies to the municipalities in line with regulation 45, on self-government of municipalities, the majority of the Municipal Assemblies are ready to begin formulating strategic policy through the establishment of policy and finance committees. That will be the first real test of the capability to self-govern at the municipal level. A lingering concern in that regard, however, is the continuing polarization of the Democratic League of Kosovo (LDK) and the Democratic Party of Kosovo (PDK), and the apparent politicization of municipal civil administration.

There has been mixed progress in the assumption of reserved seats by the communities. For the most part, representatives of Kosovo Turks, Bosniacs, Romas, Ashkalijas and Egyptians have accepted their appointments as co-opted members and are also represented as additional Deputy Presidents in three Assemblies. Progress has been slower with the Kosovo Serb community, where participation is limited to five municipalities. There have been very recent signs that more Kosovo Serbs are now willing to participate, however, and UNMIK will make every effort to build on those visible signs of cooperation. I think that if we want to move forward on the Kosovo-wide level, it is essential that concrete progress be made at the municipal level. I think the two processes should help each other.

As far as election preparations are concerned, in parallel with the work on the legal framework, the institution-building pillar — namely, the Organization for Security and Cooperation in Europe (OSCE) — has begun preparatory work for Kosovo-wide elections on the basis of a "2+6" timeline. That is to say, a two-month build-up and six months for registration and election operations. One of the first priorities is to update and integrate the civil and voter registry. To that end, United Nations civil administration and the institution-building pillar have agreed to conduct simultaneous registration.

Another priority in that respect is out-of-Kosovo registration and election operations to enable those who left Kosovo after 1 January 1998 to register and participate in the elections. UNMIK is sending out signals on all fronts that it is essential for Kosovo Serbs to register, participate in the elections and stake their claim in Kosovo. The Deputy Special

Representative of the Secretary-General for institution building recently met with Foreign Minister Svilanovic of the Federal Republic of Yugoslavia, who undertook to cooperate in the registration of ethnic communities and of internally displaced persons in the Federal Republic of Yugoslavia. I think that this represents a major step forward and sends a strong signal that we see the ability of Kosovo Serbs to return to Kosovo as a future goal.

(*spoke in French*)

Let me refer now to the second priority of which the Special Representative of the Secretary-General has spoken: to consolidate law enforcement and the judicial system. Law and order and developing the rule of law in Kosovo are top priorities for UNMIK. With a view to enhancing UNMIK's ability to combat organized crime, there has been a great effort to streamline police and judicial institutions into a new single UNMIK pillar. Our objective with this new mission structure is to enable the police and the judiciary to respond more effectively to crime in Kosovo. It is a way to act more effectively to establish an unbiased and completely fair judicial system, initially with international participation and with reform of the judicial system. That new pillar will help make possible the planned expansion of the Kosovo Police Service (KPS) from the present target of 4,000 police officers to 6,000 by the end of 2002. It will also be necessary to expand prison and detention facilities in Kosovo to ensure continuity from detention through trial and to make sure that the accused are held in adequate conditions and that they are duly tried.

UNMIK's continued efforts to break the cycle of the criminal impunity that is enjoyed by some criminals and to tackle organized crime have met with some success in recent weeks. Let me highlight a joint arrest operation carried out by the Kosovo Force (KFOR) and UNMIK, which recently resulted in the arrest and detention of four suspects in connection with the tragic mid-February Merdare bus bombing, in which 10 Kosovo Serbs were killed. The swift and resolute action undertaken by the police, by UNMIK and by KFOR and our joint efforts to fight crime in Kosovo are an essential confidence-building measure to restore trust among the various communities. Additionally, in the context of recent action to fight organized crime and the consolidation of peace in Kosovo, the trial of a high-profile suspect accused of organized criminal activity is scheduled to be completed soon. Hence, there is progress in this field.

In that context, let me remind the Council that UNMIK needs more international judges and prosecutors to deal with the increase in sensitive cases, such as those relating to ethnic crime and organized crime. The Special Representative of the Secretary-General mentioned this in his briefing to the Council on 16 March; I know that some members of the Security Council are prepared to provide additional judicial personnel. After studying the question, UNMIK estimates that the current figure — 11 international judges and five international prosecutors — could easily be at least doubled.

(*spoke in English*)

I would like now to turn to the third priority: economic reconstruction. A key element of provisional self-government is financial responsibility, for which Kosovo's public finances need to be developed. In a move to safeguard public finances and the Kosovo consolidated budget from lost revenue, tax collection points are being established along the boundary line with the Federal Republic of Yugoslavia. Customs duty is not charged on goods originating or produced in the Federal Republic of Yugoslavia. So far, customs officers have been placed at Gate 3 — Podujevo in the Pristina region — and a tax collection office has been opened in Mitrovica, where Kosovo Serbs and Kosovo Albanians will work together under international supervision. Kosovo Albanian officers under international supervision are deployed at one collection point, and an effort is under way to recruit Kosovo Serb customs officers. The establishment of tax collection points along the Federal Republic of Yugoslavia boundary is in full conformity with Security Council resolution 1244 (1999) and will contribute key funding to the Kosovo consolidated budget at a vital time in the run-up to provisional self-government. During my visit to Kosovo, I met with the head of the economic reconstruction pillar; I had a feeling from that meeting that quite substantive progress has been made there, with major financial support from the financial community, and the European Union in particular, and that the infrastructures of Kosovo are now in significantly better shape than they were 18 months ago.

The fourth priority of the Special Representative of the Secretary-General is the development of

relations with the Federal Republic of Yugoslavia and the opening of an UNMIK office in Belgrade. This is an important element in trying to move forward with the other three priorities I have just outlined. Engaging the Federal Republic of Yugoslavia authorities in substantial and constructive cooperation on issues of common concern will help bring peace to Kosovo. The Special Representative of the Secretary-General, Mr Haekkerup, met with President Kostunica in Belgrade on 5 April to discuss many of these issues, and we were very pleased with the way the meeting developed. This was the second time the Special Representative of the Secretary-General had met with President Kostunica, and the meeting was indeed very constructive.

As I have already mentioned, agreement was reached on President Kostunica's support for Kosovo Serb participation in the Working Group on the legal framework. However, I just checked with the Mission before coming to the Council Chamber, and no contact has yet been made with the Kosovo Serb representative. I think it would be important for such contact to be made very soon, so as not to delay the process. The discussion also focused on modes of cooperation between UNMIK and the Government of the Federal Republic of Yugoslavia. In that context, the Special Representative of the Secretary-General emphasized the opening of the UNMIK Belgrade office as a crucial step forward. The office currently has three UNMIK staff members: one from the office of the Special Representative of the Secretary-General, one from pillar III and one from pillar IV. Negotiations continue with the Federal Republic of Yugoslavia authorities on the Status of Mission Agreement.

The Special Representative of the Secretary-General and President Kostunica also discussed the continuing negotiations on detainees and missing persons from Kosovo. As a result of amnesty bills passed by the Federal Republic of Yugoslavia and the Serbia parliaments last month, approximately 218 of 662 Kosovo Albanian detainees held in prisons in Serbia proper have been released. UNMIK continues to work for the release of all political prisoners and for a judicial review of those cases that are not covered by the amnesty laws. This was again raised with President Kostunica, who assured the Special Representative of the Secretary-General that all outstanding cases would soon be resolved.

On the issue of the missing, the Special Representative pointed out the potential that now exists to begin to build lines of communication between families from all communities. Agreement was reached that a joint committee to ensure cooperation on the resolution of the issue of missing persons would be mutually beneficial. I think that such a joint committee can be a very important confidence-building measure to begin to re-establish a measure of trust between the communities.

On the important issue of returns, the Special Representative of the Secretary-General and President Kostunica agreed to identify those areas where Kosovo Serb returns can realistically be accomplished. Finally, on Mitrovica, it was agreed that there should be further discussion between the Federal Republic of Yugoslavia and UNMIK on rendering the necessary safeguards to the Kosovo Serb population, including the identification of common security structures.

I would like now, before concluding, to say a few words on the former Yugoslav Republic of Macedonia, since it has a direct impact on the way the communities relate to each other in Kosovo.

As the Council knows, progress in UNMIK's key priorities has taken place against the backdrop of violence along the Kosovo border with the former Yugoslav Republic of Macedonia and continuing instability in southern Serbia, both of which have had an adverse effect on UNMIK and Kosovo in general. The most serious consequence for UNMIK of the violence in the former Yugoslav Republic of Macedonia was the interruption of the supply of fuel, food and essential medical supplies, with severe delays affecting the importation of goods. The border restrictions naturally also had an adverse effect on the Kosovo economy: the Kosovo Consolidated Budget suffered an estimated daily loss of DM 500,000 in excise tax revenues. The border was re-opened to all on 3 April and remains open.

Kosovo's penal system has also been subject to additional strain because of the detention of a number of Albanian armed troop suspects illegally crossing from the former Yugoslav Republic of Macedonia. KFOR's response to the escalating conflict in the northern part of the former Yugoslav Republic of Macedonia has involved the redeployment and the reorientation of several military units. Actually, a week ago, on the Sunday before last, I visited the border with

the former Yugoslav Republic of Macedonia with the KFOR Commander at the time, Lieutenant General Cabigiosu, and I could see how KFOR units had been deployed at various points. At the same time, you could see from the nature of the terrain that it is indeed quite a difficult border to control.

UNMIK continues to assist KFOR through the redeployment of special police units to back up the security presence in those areas where military units have been redeployed. In view of the increasing number of illegal border crossings, UNMIK is currently evaluating possible punitive measures to address this problem. As the Council knows, UNMIK has been instrumental in encouraging the Kosovo Albanian leaders to speak out publicly and condemn the use of violence as a means of addressing the grievances of the Albanians in the former Yugoslav Republic of Macedonia. I think that the declaration that was signed by the three Albanian leaders in that respect was a helpful move.

The border closures, however, did not prevent the flow of an estimated 8,000 ethnic Albanian refugees from the former Yugoslav Republic of Macedonia into Kosovo, most of whom were absorbed by host families. On 3 April, UNMIK authorities, with the support of the United Nations Office of the High Commissioner for Refugees (UNHCR), launched a systematic registration of all nationals of the former Yugoslav Republic of Macedonia who have arrived due to the conflict.

The conflicts in the Presevo Valley and the former Yugoslav Republic of Macedonia are also further impeding freedom of movement for Kosovo Serbs and other minority communities in Kosovo. This worsening freedom of movement has been compounded by the temporary suspension of inter-enclave convoys, as KFOR has to review its security mechanisms. Efforts are underway to ensure the swift resumption of escorts when operationally feasible.

To conclude, I would like to say that despite the adverse effects of the conflicts in the former Yugoslav Republic of Macedonia and southern Serbia, which have the potential to trigger large, destabilizing movements of persons into Kosovo — and we are very concerned about that — UNMIK has continued to move forward with its key priorities. Progress on the legal framework should allow the holding of Kosovo-wide elections this year; serious measures to tackle law and order are beginning to bear fruit; and increased cooperation and dialogue with the authorities of the Federal Republic of Yugoslavia will pave the way for progress in the key areas of security and return that have so far blocked Kosovo Serb participation in integrated structures.

I personally believe that it is in the best interest of the Kosovo Serb community to actively participate at all levels — municipalities, the Working Group on the legal framework, and specific groups to address the specific issue. The more it participates in those groups, I think, the better off all communities will be and the more peaceful Kosovo will be. I believe that progress in all of these areas should help build a solid foundation for the future, which will, in turn, assist the Kosovar leaders in their rejection of violence.

The President: I am very grateful to the Under-Secretary-General, first of all for taking the trouble to visit this very important region, and then for giving us such an interesting briefing and update.

Before I come to open the list to members of the Council, I should tell the Council that Sweden has asked to be invited to participate in this discussion. In conformity with the usual practice, I propose to invite the representative of Sweden to participate, in accordance with the relevant provisions, unless there is any objection.

There being no objection, it is so decided.

At the invitation of the President, Mr. Schori (Sweden) took the seat reserved for him at the side of the Council Chamber.

Yugoslavia will also be asked to speak to the Council after members have intervened and the Under-Secretary-General has answered some question. So we will now proceed to the speakers' list for members of the Council. I call on Ambassador Lavrov of the Russian Federation, to be followed by Ambassador Shen of China.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Guéhenno for his briefing and for his personal impressions of his trip to Kosovo. We take note of the efforts of the Special Representative of the Secretary-General, Mr. Haekkerup, and the Mission he heads to establish normal life in Kosovo and to implement resolution 1244 (1999). We believe Mr. Haekkerup's recent visit to Belgrade, mentioned by Mr. Guéhenno, was very important. We believe that all the questions that were

discussed during the Special Representative's talks with the President of Yugoslavia will be developed and that the agreements will be fulfilled. We are convinced that unless there is this kind of cooperation with Belgrade, the Mission will not be able to discharge its mandate.

Of course, one of the central questions that everyone is talking about today is the preparation for the Kosovo-wide elections. We are convinced that in order to hold these elections, we need to make sure that the security conditions exist there that would guarantee a genuinely democratic expression of the will of all the province's ethnic communities and the fair participation of these communities in all self-government bodies.

We therefore attach importance to ensuring that before elections take place, displaced persons and refugees are able to return to Kosovo. We are convinced that excessive haste in holding the elections, forcing them through without the conditions in place to enable all the residents of Kosovo to vote, would strengthen the mono-ethnic nature of Kosovo and increase the nationalistic mood there.

We take note of the work being undertaken by the United Nations mission in seeking to harmonize the legal framework for the future transitional self-government organs. Such work should be strictly in keeping with the provisions of resolution 1244 (1999), with the participation of Belgrade. We note that this problem was discussed during the talks between Mr Haekerrup and President Kostunica, and we encourage that dialogue. We also reaffirm our position that the modalities for the elections, and the timetable for holding them, must be endorsed by the Security Council.

I remind the Council of our proposals to dispatch a Security Council mission to Kosovo which would, of course, also visit Belgrade. We believe that this should be undertaken before decisions are made on the legal framework and the timetable for holding the elections. Sending such a mission to Kosovo would help to calm the mood of the minorities and show them that the Security Council does not intend to disregard their legitimate concerns. It would also be of practical help in supporting the process of cooperation that has been established between the United Nations mission and the Government of the Federal Republic of Yugoslavia and in bringing about the cooperation that was agreed to during the visit paid by Mr. Haekerrup to Belgrade.

At this stage, however, we agree that it is important for the international presence to make a more active effort to ensure that there is security there for all, including, of course, the members of the Serb and other non-Albanian communities. So far, there has been no success in establishing such security, and the report of 3 April that was published jointly by the Organization for Security and Cooperation in Europe and the Office of the United Nations High Commissioner for Refugees notes that there has been no decrease in attacks on the members of the non-Albanian people of the province, and that such violence is clearly organized. That report provides concrete facts. In this regard, we would like very seriously to warn against any hasty steps with regard to Mitrovica. Unless the legitimate interests of the Serbs are taken into account in resolving the question of Mitrovica, there is a real danger that the entire territory of Kosovo will be ethnically cleansed. We therefore earnestly call upon the United Nations mission fully to cooperate with the Serbs on the question of Mitrovica.

We are concerned that the Albanian media in Kosovo is publishing articles stating that the leaders of a number of radical Kosovo parties are expressing full support for the activities of the so-called national liberation army in Macedonia, and newspapers in Kosovo are publishing lists of former commanders of the KLA who are now taking part in hostilities in Macedonia. Such people are portrayed as being national heroes. I am sure that this is well known to the United Nations mission in Kosovo, and we are convinced that both the mission and the Kosovo Force (KFOR) must, as the Security Council has already demanded, step up their efforts to put an end to extremism in Kosovo and halt the export of violence from Kosovo to other regions of Yugoslavia and to neighbouring countries, in particular Macedonia.

We believe that it is now clear to everybody that the root cause of this situation lies in the policy of placating Kosovo extremists, which was pursued by the previous leadership of the mission. The fact is that all of the problems that have arisen in the region, including the problem of violence, have their origins in that policy. They come from Kosovo; nobody is disputing that fact. In this respect, I would like to recall the comments of the Special Rapporteur on Yugoslavia, Mr. Dienstbier, during the fifty-seventh session of the

Commission on Human Rights. He said that there was a direct link between extremism in Kosovo and ethnic Albanian terrorists who are operating beyond the confines of Kosovo. Bosnia is already suffering from the after-effects of the Kosovo problem; extremists there are starting to use the same methods that are being utilized by the Kosovar Albanian terrorists. There are similar occurrences in the Croatian part of the Federation of Bosnia and Herzegovina, with international personnel becoming the direct victims of armed attacks and being taken hostage. Such occurrences show that that bad example is contagious, and if there are no strict measures to put an end to extremist terrorist activities, many people would like to recreate this kind of scenario in other areas of the Balkans.

We are concerned about reports that there has been a recent revival of the activities of the foreign network of Albanian extremists, in particular those in Switzerland, and that this network is being used to provide support for activities in Kosovo and Macedonia.

We again draw attention to the need for a clearer, more insistent implementation of resolution 1160 (1998) regarding the arms embargo to Kosovo. We stress the need finally to bring the demilitarization to its logical conclusion and to ensure that the combatants of the former KLA are truly disarmed. Recently, in Krivenik, a Kosovo village near the Macedonian border, a huge illegal cache of weapons was found. KFOR needed four trucks to remove it. These caches are really not difficult to find, but I do not want to comment further on that point.

We believe that, in order to stabilize the Balkans, we need approaches that are based first and foremost on the political will of the States of the region, with the active support of the international community. That is the precise thrust of the proposal that the Minister for Foreign Affairs of Russia, Mr. Ivanov, put forward in Skopje on 21 March, when he suggested that countries of the region should adopt a legally binding document establishing mutual obligations regarding the strict observance of the basic principles of inter-State relations, primarily, the inviolability of borders, sovereignty equality, respect for each other's territorial integrity, the non-use of force, and preventing the use of their territories for incitement or for the provision of assistance to terrorist activities or participation in such activities in respect of other States. At first glance, this is a very simple proposal, but we are convinced that including these principles within the framework of a legally binding document would have a very positive effect on the entire situation. The Security Council could act as the guarantor of such an agreement. The international community would be sending a very clear signal that there should be absolutely no new attempt to carve new borders in Europe, including in the Balkans.

Mr. Shen Guofang (China) (*spoke in Chinese*): At the outset I would like to thank the Under-Secretary-General, Mr. Guéhenno, for his very important, informative and comprehensive briefing.

While the situation in Kosovo remains unstable, we are pleased to note that the contact and dialogue between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Federal Republic of Yugoslavia Government has increased. Some of this contact and dialogue is quite constructive. We hope that such contact and dialogue will continue and will ultimately be beneficial for the solution of the Kosovo problem.

At the present time we are most concerned about the progress in the preparations for Kosovo-wide elections. It has a direct bearing not only on the comprehensive and lasting solution to the Kosovo problem, but also on the peace and stability of the Balkan region as a whole. China is of the view that the preparations for the Kosovo-wide elections must be carried out in all seriousness strictly within the framework of Security Council resolution 1244 (1999). Of course, the key issue is to ensure the full and equitable participation of all the ethnic communities.

With regard to the Kosovo-wide elections, I have two questions that I would like to pose to the Under-Secretary-General, Mr. Guéhenno. First, at the present time the Joint Working Group on the Legal Framework for Kosovo has achieved considerable progress on the issue of Kosovo-wide elections, especially on the core issue of the self-government of the future Kosovo. As we certainly know, however, such progress has been achieved without the full representation of the Kosovo Serbs. We also noted that UNMIK is trying hard to win more participation from the Kosovo Serbs. Without the full participation of the Kosovo Serbs, what kind of an effect will such progress have on the future of Kosovo-wide elections? Will people raise doubts about the

fairness and the universality of such Kosovo-wide elections? What are Mr. Guéhenno's comments?

Secondly, according to the information provided by the Secretariat, since the armed conflict in the former Yugoslav Republic of Macedonia began, nearly 8,000 former Yugoslav Republic of Macedonia Albanian residents have fled to Kosovo to seek refuge. Surely this will cause instability and a worsening in the law and order situation in Kosovo. However, will this presence of former Yugoslav Republic of Macedonia Albanians have any impact on the Kosovo-wide elections? What are the measures that UNMIK will take to take care of such refugees?

In conclusion I would like to stress that China supports the proposal made by Ambassador Lavrov, namely that at an appropriate time the Council should send a mission to Kosovo and Belgrade in order to obtain first-hand information.

Mr. Chowdhury (Bangladesh): We find Under-Secretary-General Guéhenno's briefing very useful, as the President himself has mentioned, particularly in the context of his visit to the region. Following the practice that the President is trying to institute in these meetings, I will pick some of the points that Mr. Guéhenno has mentioned and try to reflect on those.

The first point relates to the contact between the Federal Republic of Yugoslavia and the United Nations Interim Administration Mission in Kosovo (UNMIK). I think that the 5 April meeting between the Special Representative of the Secretary-General, Mr. Haekkerup, and President Kostunica is a milestone meeting. I believe that it has made a remarkable difference in the manner in which UNMIK operations are being undertaken. I think that it will open up opportunities for the resolution of many of the outstanding issues. I will come back later to some of the points that were discussed during that meeting on 5 April, including the issue of missing persons and detainees.

Let me at this point also mention that the information that we have received from Mr. Guéhenno on the preparations for the elections is very important. Mr. Haekkerup briefed us last month on the preparations, not only of the legal framework, but also of the elections and the arrangements being made for the elections. From Mr. Guéhenno we have now heard in particular about the call made by UNMIK to all communities to register and participate in the elections. We believe that this is a very key aspect of holding free and fair elections with the participation of all communities. I believe that very closely linked with this process is the return of the Kosovars to Kosovo and their being able to participate. In particular we underline the importance of the return of the Kosovo Serbs.

We would like to take this opportunity to pay tribute to the civil administration and institution-building pillars of UNMIK for doing their best to organize the elections in an effective manner. We would like to also mention that the legal framework for the provisional self-government that is being prepared should also be drafted with the participation of all communities. We believe that this is an important element that should not be missed.

We would also like to mention that, as has been reiterated by UNMIK, the rights and interests of all communities need to be reflected in that legal framework. We believe that the support extended by President Kostunica for the establishment of the legal framework and his call on the Kosovo Serbs to participate in the process are very important and will contribute towards an effective preparation of that document.

I will now talk about the point relating to the missing persons. There are about 3,000 Kosovars missing, and one-third of them are Serbs. We believe that the support that President Kostunica has given in this regard to Mr. Haekkerup is very important. The idea of a joint committee needs to be pursued and, we believe, should be established as soon as possible. We would like to make a request to the Council that it support this idea of a joint committee, which is to be established to look into the issue of missing persons and detainees.

We welcome, as I said, the efforts being made for the return of the Kosovo Serbs. We would also like to mention here that we had requested earlier a report on the completion of mandate by Ambassador Henrik Amneus. We had made that request both in informal consultations and in formal meetings, and we have not received any response, either from Ambassador Amneus or from the Secretariat in this regard. We would therefore like to reiterate that request through you, Sir, so that action may be taken on the presentation of that report to us.

Finally, we would like to mention that we are encouraged to hear the information about the economic reconstruction efforts, particularly on tax collection and infrastructure-building. We believe that these are very positive developments and should be welcomed by all of us.

Let me conclude by joining Ambassador Lavrov and Ambassador Shen in proposing that a mission of the Security Council be undertaken to Kosovo with an appropriate mandate to look into the developments that have been undertaken and those that are expected in the coming months.

Mr. Mejdoub (Tunisia) (*spoke in French*): Allow me to add Tunisia's voice to those that have spoken earlier to thank Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, for his excellent and instructive briefing on developments in Kosovo. My delegation pays tribute to him and to his team for their efforts to keep members regularly informed on developments on the ground.

Responding, Sir, to your appeal for brevity, I will limit my statement to a few comments that we feel are of definite importance in promoting a solution to the question of Kosovo.

My first comment is that we believe that, since Security Council resolution 1244 (1999) has been unanimously accepted by all parties to the conflict, its implementation must be total and swift. According to paragraph 11 of the resolution, the interim international civil presence is responsible for "promoting the establishment, pending a final settlement, of substantial autonomy and self-government". Clearly, the United Nations Interim Administration Mission in Kosovo is responsible for defining the future autonomous institutions of Kosovo. These choices must be the outcome of broad consultation with all parties concerned, including the Federal Republic of Yugoslavia. The participation of all the ethnic components in Kosovo is the best guarantee of the success of that process. In this regard, we encourage Mr. Hans Haekkerup, the Special Representative of the Secretary-General, to pursue his work precisely to define a legal framework prior to the holding of the general elections and to work to implement the results of the elections.

Secondly, we have always deemed it important for any ultimate settlement of the question of Kosovo to be part of the broader context of a comprehensive solution to the problem of the Balkans as a whole. The international community must take into consideration the regional aspect, which we believe to be a factor for balance and stability. My delegation welcomes the spirit of cooperation demonstrated by the Government of Belgrade since the democratic change that took place in the country and recent measures to calm the situation.

Thirdly, we wish to voice our concern at the persistence of pockets of tension, particularly along the borders. This tension is conducive neither to the return of refugees nor to lasting reconciliation among the inhabitants of Kosovo. Quite to the contrary, it merely prolongs the crisis and the resort to violence. It is therefore important to strengthen security, particularly where minorities reside, and to ensure impartial and non-discriminatory justice for all inhabitants, as was quite rightly pointed out by Mr. Guéhenno. I would even say that all forms of extremism should be banished and a culture of tolerance promoted. We need to find a negotiated solution to the question of ethnic Albanian prisoners in Belgrade prisons.

Fourthly, my delegation welcomes the positive outcome of the meeting of donor organizations and countries held in Pristina. That important meeting has allowed the programme launched by the Special Representative of the Secretary-General to enjoy broad support for the stages to come. It will certainly have a positive effect on the entire economic and social situation in Kosovo.

Fifthly, we wish to express our satisfaction at the decision taken by the former Yugoslav Republic of Macedonia to reopen its borders with Kosovo, which will allow essential goods to be shipped to the inhabitants of the territory.

In conclusion, I wish to say that the Council's forthcoming meeting to hear the Albanian Prime Minister will be of substantial help to the members of the Security Council and to the Secretariat by expanding the context of our discussion on the situation in Kosovo and the Balkan region as a whole.

The priorities cited by Mr. Guéhenno seem to us, for a number of reasons, to be the best available at this sensitive time. It is my delegation's view that we must give thought right now to the exit strategy, given the complexity of the situation in the region as a whole. An overall strategy is crucial if we truly wish to think about the future of the region in the long term.

The President: Perhaps I should point out that the Prime Minister of Albania has not been able to keep to his programme and will not be coming to talk to us during the course of this month, but I will try to find another occasion to have, perhaps, a more intimate discussion of longer-term policy in the region.

Mr. Cunningham (United States of America): I think the Under-Secretary-General's briefing and the discussion are interesting because they show that, while there are some differences and some new nuances in approach, the fundamental question that is still before us is whether unresolved issues in Kosovo and in the region will be solved or attempted to be solved through the use of violence or through the use of a political process in implementation of resolution 1244 (1999). I think that the briefing we had today shows that real progress is being made in the latter, political direction. We are encouraged by that and think that this Council and everybody else who can needs to encourage and support the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) in this very difficult effort.

Violence remains the single greatest threat to progress in the region. There is a political path laid out, but it is a difficult one. We all know that and we should be under no illusions about it. We strongly support new measures that UNMIK is in the process of developing against extremist activities and organized crime, and hope that they will be brought into being in the near future.

We have been pressing key Albanian leaders, in Kosovo and outside Kosovo, to join the international community in urging restraint. We believe strongly that this is the only way forward. It is essential for KFOR and UNMIK to have that kind of political support from the Albanian communities if they are to have any hope of maintaining stability and security in the region. They must move beyond words to deeds, to help halt extremism inside and outside Kosovo.

In our view, the question of elections is central to that effort. I think the discussion has been interesting on that point, and Ambassador Shen asked some interesting questions that I am anxious to hear the answers to. But, again, from our point of view, elections serve a key function in that process. That is why we support holding elections as soon as possible. Elections will help to set a foundation, answer the questions and solidify the discussion over whether the future of the region lies in a political process or though continued violence. In our view, not holding elections leaves open the perspectives for violence.

We are very gratified to hear that UNMIK is making real progress towards establishing the legal framework, and we encourage them to press ahead. I noted with gratification the Under-Secretary-General's observation that he believes elections will be held this year. We have indications that that is also becoming more accepted in the region. We welcome that. We note that significant progress is being made in encouraging all the peoples of Kosovo to participate in the development of the framework. That is another significant element of progress. We welcome that Belgrade appears ready to encourage Kosovo's Serbs to participate. That is also a significant step forward.

It has not been part of the discussion but, as the Council has previously discussed the issue, I did want to make mention of the matter of depleted uranium in the area. We would like to note that recent studies in Kosovo by the World Health Organization and the United Nations Environment Programme have found that there is no demonstrable link between exposure to depleted uranium and leukaemia or other kinds of cancers in humans. Those findings coincide with those of similar studies conducted by the United States.

The President: I would like to turn to Mr. Guéhenno to answer questions that have arisen so far. Then I will return to the list of speakers.

Mr. Guéhenno: Several representatives mentioned the fundamental issue of the elections. The Chinese delegation raised two questions linked specifically to the issue of elections. I would like to answer the second question first, namely, the impact on stability and elections of refugees from the former Yugoslav Republic of Macedonia.

All the information we have shows that the estimated 8,000 refugees from the former Yugoslav Republic of Macedonia have been absorbed very peacefully in host Albanian families; that their needs are being cared for by the Office of the United Nations High Commissioner for Refugees and other humanitarian agencies; and that they have indeed been registered. I believe that most of those refugees will indeed return to the former Yugoslav Republic of Macedonia as the situation returns to normal there. At any rate, they are not residents of Kosovo and there is no way in which they could, or should, have an impact

on the elections. I think that they are out of the picture, both from a law-and-order standpoint and from the more formal standpoint of the legal issue of participation in elections. They should remain out of the picture and I would expect that by the time elections can be held, there will no longer be any refugees there anyway.

With regard to the first question — namely, what the effects of non-participation by Kosovo Serbs in the elections would be — I think that if a second election were held in Kosovo without the participation of Kosovo Serbs it would indeed send a very bad signal and would not bode well for the goal of a multi-ethnic Kosovo as envisaged in resolution 1244 (1999). That is why we make every effort to engage the Kosovo Serb community and to convince that community to participate actively. As I said, we are very encouraged by the results of the meeting in Belgrade.

Here, I would like to make a more general point on the issue of elections. It is indeed essential that the next elections, the Kosovo-wide elections, have the full participation of all those who have a right to participate in them. That indeed includes internally displaced persons not presently in Kosovo who left Kosovo before 1 January 1998. An election that fails to make efforts to have them participate would not be right and, as has been said, would increase the divide. That is why we are working actively to that effect with the Government in Belgrade. There is indeed a need for very close cooperation between the mission and that Government in Belgrade to ensure such participation.

On the other hand, having come back from Kosovo, my personal perception is that any undue delay in the holding of elections would give more power to the gun than to the vote. That is the danger. Elections will enable the various communities to have a say, and we see this in the number of moderates in Kosovo. Properly held elections can thus be a way to alleviate tensions. Undue delay might lead to violence.

In Kosovo I was struck by the fact that if we want to rebuild a measure of trust between the various communities — and that in itself will take time, as there is no question that at the moment that trust does not yet exist — that will have to be based on some measure of self-confidence. Elections in which all communities can participate will help to do precisely that, rather than intimidation with the power of the gun.

Mr. Levitte (France) (*spoke in French*): The Ambassador of Sweden, Pierre Schori, will shortly express the views of the European Union. I would like to respond to the excellent statement made by Jean-Marie Guéhenno while developing a few points, which I hope will in no way contradict the perspective he has defined so well.

My first comment is on the matter of substantial autonomy. It is very important that work in this area proceed under the best possible conditions in order to give shape to this essential element provided for in resolution 1244 (1999). It is therefore well that Mr. Haekkerup should be working on this in close coordination with the representatives of all the communities in Kosovo. The objective should be to provide a clear-cut definition of the competencies to be transferred to the future provisional institutions.

Mr. Guéhenno has mentioned the desire for participation by representatives of the Serb community. In this context, we are encouraged by the fact that Mr. Haekkerup received encouraging signs in Belgrade. We believe Belgrade has an important part to play in the context of the process led by the Special Representative of the Secretary-General.

My second comment relates to the general elections. As Jean-Marie Guéhenno has said, these constitute an important, indeed indispensable, phase in the process of ensuring that democracy takes root in Kosovo, and minority participation is thus indispensable. The elections must be prepared with painstaking care; we are encouraged to note that much has already been accomplished on the ground.

My third comment is that Mr. Haekkerup's visit to Belgrade last Thursday was a very positive development; Mr. Guéhenno was right to highlight it. We share his assessment of the meeting between President Kostunica and Mr. Haekkerup, and we are pleased that a positive relationship is developing between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the authorities in the Federal Republic of Yugoslavia. Here, the opening of an UNMIK office in Belgrade is a step forward; it will facilitate needed dialogue on a day-to-day basis.

My fourth comment addresses ethnic violence, which, as many members of the Council have said, remains the crux of the matter. We are please to note the good cooperation between UNMIK and the Kosovo Force (KFOR) in keeping the extremists on the

sidelines. But it is essential that elected officials in Kosovo do even more: that they forcefully and resolutely make their voices heard to condemn ethnic violence and to promote harmony. The international community has made a great effort to help Kosovo and its population, and it is only normal that we should expect everyone, and in particular those elected representatives, to do everything in their power to prevent violence, thus contributing to the success of the task entrusted to UNMIK, to KFOR — and to those very representatives, elected by their own people.

All these points will be made at the ministerial meeting of the contact group, to be held the day after tomorrow in Paris. That meeting will offer a good opportunity to take stock of positive developments since the last ministerial meeting, which was held in Rome last August. But it will provide an opportunity also to take a more general look at the situation in south-eastern Europe. As other speakers have rightly observed, the degree to which the international community is united on this matter is striking in terms both of its assessment of the situation and of its determination to safeguard the stability, territorial integrity and sovereignty of all the States of the region; this echoes the unity the Council displayed with the adoption of resolution 1345 (2001). It is encouraging and reassuring to hear the entire international community speak with one voice to encourage the forces of integration as they confront groups advocating territorial fragmentation and ethnic factionalism.

Miss Durrant (Jamaica): I too wish to thank the Under-Secretary-General, Mr. Guéhenno, for updating us on developments in Kosovo since the Council was briefed last month by the Special Representative of the Secretary-General, and particularly for giving us his own impressions following his recent visit to Kosovo.

When we met last month, my delegation expressed support for the priorities outlined by the Special Representative of the Secretary-General, and we wish to thank Mr. Guéhenno for briefing us on the establishment of a legal framework for provisional self-government, on the development of an effective law enforcement and judicial system, and on economic reconstruction.

We were pleased to learn of the results of the discussions that the Special Representative of the Secretary-General held last week in Belgrade with President Kostunica. Those discussions, as well as the opening of the United Nations Interim Administration Mission in Kosovo (UNMIK) office, can, we believe, lay the basis for further dialogue and action on the situation of missing and detained persons, on internally displaced persons and returnees, and on organized crime and the trafficking in persons. We hope that early action will be taken on the establishment of a joint commission, as we agree with Mr. Guéhenno that such a commission could be mutually beneficial and could act as a confidence-building measure.

We note that the Special Representative of the Secretary-General has agreed to take action to determine the fate of the 3,000 persons missing in Kosovo and has raised the question of DNA testing. My delegation would wish to ascertain whether or not UNMIK has the personnel required to do that testing and, if not, whether they have sought international assistance.

A matter of fundamental concern for my delegation is the process leading up to elections and to the development of institutions of self-governance within the framework of resolution 1244 (1999). Other speakers have addressed that issue and I will therefore not repeat what they have already said. But we would wish to underline the importance we attach to that process, to the elections being well prepared, and to their being held as soon as possible. We see the decision to register internally displaced persons as another confidence-building measure, and we hope that this will encourage the return of Kosovo Serbs. But that will take place only in a secure environment and in an atmosphere of reconciliation among the different ethnic groups.

We hope that, prior to the Kosovo-wide elections, Kosovo Serbs can be persuaded to participate in the municipal assemblies and in municipal government, and we would wish to ask Mr. Guéhenno whether any steps have been taken in that regard.

We are disturbed at the report that there is polarization in civil administration along political as well as along ethnic lines, and we believe that this must be firmly discouraged.

Kosovo remains a direct responsibility of the Security Council, and in that regard my delegation would support the proposal for another Council visit to Kosovo at a time mutually convenient to members of

the Council and to the Special Representative of the Secretary-General.

My delegation wishes to draw attention to a concern that we raised at the last briefing, and that is the proliferation of arms in Kosovo, in particular small arms. At that time, Mr. Haekkerup responded to our question by stating:

> "Basically, I do not think that there is any great trafficking in heavy weapons through Kosovo, but with regard to small weapons, I think that there is". (*S/PV.4296, p. 35*)

We would once again request detailed reports on what is being done inside Kosovo by UNMIK and by KFOR to confiscate illegal weapons and to enforce the regulation on weapons that was recently passed. We would also be interested in hearing what is being done by KFOR to prevent weapons entering the territory and what steps the sanctions Committee could take to assist in that process. We hope it will be possible for the new Commander of KFOR to address the Council in the near future.

I must also underline my delegation's disappointment that the latest report on the international security presence in Kosovo (S/2001/333), which was transmitted by a letter dated 3 April 2001, covers the period 1 to 28 February. We hope that in future the Council can receive reports in a more timely fashion. The report indicates that during that period KFOR troops uncovered and confiscated weapons, ammunition and explosives, and that they continued to take action to prevent the flow of supplies from inside Kosovo.

We wish to encourage closer collaboration between UNMIK and KFOR in these efforts and greater vigilance in addressing illegal border activity. We continue to call for increased surveillance of the administrative border, in order to put an end to the extremist activities there and to stop the traffic in illegal weapons.

The President: I now call on Ambassador Mahbubani of Singapore, to be followed by Ambassador Franco of Colombia.

Mr. Mahbubani (Singapore): Like others, I would like to thank Under-Secretary-General Jean-Marie Guéhenno for the briefing he gave us, and I also want to add, Mr. President, that we are very happy with this format you have instituted of having an interactive session to discuss issues like this. I think this allows us, hopefully, to be a bit more reflective, a bit more thoughtful in responding to the issues that we deal with.

In that spirit, I would like to put forward one suggestion, which I think is both procedural as well as substantive, on this issue. I think it is useful for us when we discuss Kosovo — and we seem to be discussing Kosovo once a month every month nowadays — to listen to the 15 national perspectives that we have. But in the eyes of the international community I think what is of interest to them is whether the Council is moving forward in a common direction towards resolving this major issue. Here, frankly, I am building on a remark, the last point that was made by my colleague on my left, the Ambassador of Tunisia, when he said that when we discuss Kosovo, we should look at the global exit strategy on this issue. This is where, after attending Council discussions on Kosovo several months now, I am really not sure whether, in terms of our end goal of getting Kosovo off the Security Council agenda, we are moving forward or backwards. Sometimes I think we move forward. Sometimes we move backwards.

In so doing, we should also bear in mind that of all the peacekeeping operations that the United Nations is handling, Kosovo is one of the three most expensive. According to the figures given to me for the expenditure in 2000, the United Nations Mission in Sierra Leone (UNAMSIL) will cost us $510 million, the United Nations Transitional Administration Mission in East Timor (UNTAET) will cost us $540 million and the United Nations Interim Administration Mission in Kosovo (UNMIK) will cost us $500 million. But I think if you add the other costs of the residents of the international community, Kosovo is by far the most difficult operation that we have.

Given that it may be useful for us at these meetings to ask whether we are going in the right direction over the long term, I am aware that the eventual goal is spelled out in Annex 1 of resolution 1244 (1999), which says that our goal should be a political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the Kosovo

Liberation Army (KLA). These goals have been spelled out. The question is whether we are moving forward in that direction.

Here I noticed that we discussed elections quite frequently today, and the general assumption will be that the elections will be a positive step forward. I think Mr. Jean-Marie Guéhenno confirmed this in his answer when he said that elections are a better choice than the use of the gun. But the question in my mind is: Is it possible that the elections could have a destabilizing effect if, in the process of the elections, we have political parties that will say that their end goal is to ensure that Kosovo becomes independent, as opposed to other parties that will say that their end goal is to see the implementation of resolution 1244 (1999). Which of these political parties are likely to be more successful in the coming elections. I am aware that these are municipal elections, but in the course of municipal elections larger issues may be raised.

Against this backdrop, I want to use two metaphors to illustrate some of the difficulties we face as we meet every month to discuss Kosovo. The first metaphor I will use is the one of the play *Hamlet* and the ghost. You cannot stage the play of *Hamlet* without having the scene of the ghost. In the same way, every time we meet to discuss Kosovo, there seems to be a ghost hanging around this room, asking us, what is the ultimate destination and how are we going to get there.

The second metaphor is that of going where we want to go, and I like to use the metaphor moving a big boulder up a mountain. Judging from all the comments we have heard and the discussions on Kosovo, it is quite clear that while we all agree on the formal outlines of the goals we want to reach, we are all aware that we have an unusually difficult mission ahead of us. Indeed, in trying to rebuild the fabric of a nation that has been torn apart and in putting it together as one nation, the task is akin to that of, as I said earlier, moving a big boulder up a mountain. So, perhaps, as we meet month after month on Kosovo, we want to ask ourselves, are we moving the boulder up or is the boulder rolling backwards when we discuss Kosovo. I hope that we will bear this in mind as we have future discussions on Kosovo.

Finally, since several delegations have spoken in support of the Security Council mission to Kosovo and Belgrade, I want to say that we are very happy to support this mission and we will also be happy to participate in it if it is helpful to do so.

The President: Thank you, Mr. Ambassador. You make us think, as usual. I think we need to remember that as far as the boulder going up the mountain is concerned, there is a trade off between the speed with which you try to push the boulder up the mountain and the risk of it coming back over you and tumbling back to the bottom again. But it is we and others who have to make those judgements.

Mr. Franco (Colombia) (*spoke in Spanish*): I would like to begin by thanking Mr. Guéhenno for his briefing and by congratulating you, Mr. President, on having consolidated this interactive format that we appreciate and value.

Since we last discussed this item in the Council almost a month ago, the situation in Kosovo and its surroundings has changed considerably in a positive way. I would like to put three questions to Mr. Guéhenno and make a final comment.

The first question has to do with refugees and internally displaced persons (IDPs). Clearly, the situation of the refugees and IDPs is still very concerning. Unfortunately, this continues to be one of the most complex problems in Kosovo. There are figures that reflect this problem, but the information is not entirely clear. I had planned to ask Mr. Guéhenno for clarification on the actual situation of the refugees arriving in Kosovo from other regions and people from Kosovo migrating to other parts of the region. So I am grateful for the comments you already made during your presentation and in response to others, and if you have anything to add, I would appreciate it very much.

My second question has to do with the situation in southern Serbia. Negotiations to settle disputes in southern Serbia are important and must continue. We wish to appeal for Albanian extremists to comply with their agreed commitments and return the five hostages by 10 April, at the latest. In my delegation's view, there is no reason that justifies this detention. Perhaps Mr. Guéhenno could give us some idea how the negotiations are proceeding?

The third question has to do with illegal activities along the borders. The re-opening of the border between Kosovo and Macedonia bears tribute to the fact that the violence has been controlled to some extent. However, the Kosovo Force (KFOR) and the

United Nations Interim Administration Mission of Kosovo (UNMIK), as appropriate, must guarantee that this border area stop being a place for illegal activities. Additionally, we must foster awareness among the people living along the borders for them to realize that preventing and denouncing illegal activities is also their responsibility.

In this context, I would like to ask Mr. Guéhenno for more information about measures to control illicit trafficking in small arms along the border and in the Presevo Valley. How is the community participating in this matter? What results have emerged? Ambassador Durrant of Jamaica has spoken eloquently on this issue, and my delegation supports what she has said. I hope we will start having more concrete replies on these matters because we have already posed questions in this regard on several occasions.

A final comment concerns the relationship with Belgrade. Colombia supports the ongoing efforts of Belgrade and UNMIK to improve their relationship and to work as a team on various matters.

The agreement for the participation of the Serb Kosovo population in the Working Group to develop a legal framework, together with the increase in the participation of the Serb population in the Kosovo assemblies, can be seen as an achievement of the teamwork between UNMIK and Belgrade. We hope that these trends will continue so that the general elections to be held in Kosovo in the near future elicit the support of the Serb population and thus become truly representative.

I would like to conclude by praising the work of UNMIK and the great willingness of the Government in Belgrade to contribute to regional stability.

Mr. Kolby (Norway): I, too, would like to thank Mr. Guéhenno for his briefing. We note that work on the legal framework is progressing and that the Special Representative of the Secretary-General intends to hold Kosovo-wide elections this year. We are encouraged by Mr. Guéhenno's information about progress towards ensuring the return of Kosovo Serbs to the working group. We expect that, as part of this process, more Kosovar energy will be directed towards the legal and political arena. Norway deeply regrets and condemns the violent attacks against minorities, which seem increasingly well organized and aimed at undermining our efforts to ensure a multi-ethnic Kosovo.

Continued extremist violence, which is also taking place against fellow ethnic Albanians, shows that progress towards elections is not matched by improvement in the security situation. For elections to be held, we need a security framework as well as a legal framework. Kosovo Albanian leaders should know that the best support they can give to the election process is to take vigorous, public measures to prevent violence and create conditions for the return of refugees and displaced persons. However desirable province-wide elections may be, their success will depend on whether these requirements are met. In this connection, I would like to ask Mr. Guéhenno whether it is his impression that the Kosovo leaders fully appreciate the need to do more with regard to the security situation.

To ensure legitimate elections, it is essential that Kosovo Serbs and other minorities are properly represented in the preparations, the voting and the institutions. We believe that closer cooperation between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the authorities of the Federal Republic of Yugoslavia could contribute to this end. Norway fully supports the efforts of the Special Representative of the Secretary-General to involve the Yugoslav authorities, and we welcome his visit to Belgrade last week and its results. We believe it is now important to open a full-fledged UNMIK office in Belgrade.

Norway is encouraged by recent steps taken by Belgrade to bring to justice persons indicted for war crimes, as well as to implement the Covic plan in the Presevo region. To build further confidence, all political prisoners should be released from jails in Serbia without delay. For their part, ethnic Albanian leaders should do more on the issue of missing persons. We support Mr. Guéhenno's comment that a joint commission would be an important step.

Lack of public trust in the law enforcement agencies and the judiciary in Kosovo is a serious challenge. Norway supports the creation of a new UNMIK pillar to maintain a strong involvement in this area by the Special Representative of the Secretary-General. Tackling the alarming increase in trafficking in women and children is one of the most urgent tasks.

Finally, Norway fully shares the emphasis by Mr. Guéhenno and others on the importance of the regional aspects of the implementation of resolution

1244 (1999), and we would therefore also like to hear his assessment of the possible implications if Montenegro should take steps to secede from the Federal Republic of Yugoslavia.

The President: I again call on the Under-Secretary-General to pick up the points so far, after which Counsellor Kulyk of Ukraine will speak.

Mr. Guéhenno: First, I should like to respond to the three questions from the Ambassador of Jamaica. On DNA testing, indeed, the United Nations Interim Administration Mission in Kosovo (UNMIK) would very much like to draw on the expertise of a number of specialized non-governmental organizations that have performed similar work in Bosnia and Herzegovina. I think that we will be in touch with those organizations, and we will, of course, need funding to support their work. But that is a source that should be tapped for this particular very sensitive and important issue.

With regard to the participation of Kosovo Serbs in Municipal Assemblies, progress has indeed been made, especially after the change of leadership in Belgrade. Recently, Kosovo Serb representatives have walked into Municipal Assemblies, including some difficult municipalities around Pristina. So there is a precedent that that can be done without the generation of violence. We hope that this will pave the way for more comprehensive participation in other municipalities, especially in a key municipality such as Pristina.

I can assure the Council that in those municipalities where Serbs are still, unfortunately, outside the ruling structures, UNMIK makes a point of making sure that municipal resources are, indeed, being allocated to the Serb community.

Jamaica's third question related to the regulation of weapons. What I can say on that is that UNMIK did enact a very comprehensive regulation one month ago that outlaws the possession of illegal weapons and imposes very serious sanctions. If I am not mistaken, there can be a 10-year jail sentence in some instances. At the moment, we are still in the grace period, and a very important information campaign is going on, with close cooperation between the Kosovo Force (KFOR) and UNMIK, going door-to-door and making sure that people throughout Kosovo are fully informed about this new regulation. This information campaign will be followed by a one-month amnesty for those who surrender — a one-month grace period, so to speak — during which the Kosovars can hand in their weapons. My understanding is that that period will last until the end of May. We expect that a number of weapons will be surrendered. Indeed, there are still quite a lot of weapons in Kosovo, and there will probably still be weapons after that. But we will be in a better position to control the illegal possession of weapons, and I think this is an important step forward.

The Permanent Representative of Singapore asked whether elections could have a destabilizing effect since, indeed, the issue of independence will be there — at least, it will be promoted by some parties. We know that last year every political party that registered for the municipal election had independence at the core of its electoral platform. Obviously, this will not be different for the Kosovo-wide elections. Kosovo politicians are still in competition to see how nationalistic they can be. On the Albanian side, the issue of independence is one of the few issues on which they agree.

At the same time, I am told — it is the experience of the municipalities where we have begun to have a functioning administration — that the more they can focus on the practical management of Kosovo, the more that will defuse the tension. They may want to make their political point, and I am under no illusion that that political point will be made. But they then have to focus on the practical issues of substantive autonomy and deal with a lot of practical issues. I said that the infrastructure was in much better shape, but a lot of very practical issues have to be dealt with if Kosovo is to be effectively managed. Focusing on that should hopefully defuse tensions.

Colombia raised three questions. On the question of refugees and internally displaced persons, I gave the most recent figures that I have. What I can say is that the return of the internally displaced Serbs to Kosovo is indeed a very important political issue. It is one of the key priorities of the Special Representative of the Secretary-General. It will take place in a gradual way - it would endanger the safety of Serbs to try to do it suddenly in a massive way. Unfortunately, I do not think that the resources and the political context are there yet for a massive return. However, UNMIK is committed to organizing that progressive return and to working in a practical way with all involved partners to start that process so that the signal is sent that indeed the Serbs have their full place in Kosovo.

The second question was that of the negotiations taking place in southern Serbia. Those negotiations got off to a slow start due to continuing breaches of the ceasefire and the composition of the Albanian negotiation team. We are advocating the beginning of the implementation of a package of confidence-building measures. In this regard we very much appreciate the behaviour of the Yugoslav army force, which has been redeployed into part of the ground safety zone. I would reiterate here that the composition of the forces that are being redeployed should not include troops that have been associated with events in Kosovo. I think that this would send a signal that could increase tensions. I think that we have to work on that very sensitive and delicate issue, where perceptions play a very important role, in a progressive and gradual manner in order to avoid undue tensions.

The third question raised by the delegation of Colombia was on illicit activities across the border. As I said, I visited the area. This is mountainous and wooded terrain. I would not want to convey to the Council the view that 100 per cent control of that border can be achieved. It would probably require a huge force to do that. However, I was very much encouraged by the commitment of KFOR and UNMIK to have effective coordinated efforts put in place in order to have as much effective control as possible. This indeed has resulted in the apprehension of several persons, especially ethnic Albanians from the former Yugoslav Republic of Macedonia.

Several weapon seizures have successfully taken place, as was recalled by Ambassador Lavrov. KFOR and UNMIK are presently studying the possibility of strengthening the legal framework within which they can act in that respect so that those who are apprehended illegally crossing the border would receive the appropriate sanction. On all those issues we maintain very close contact with former Yugoslav Republic of Macedonia authorities. Any effective control of the border needs very good interaction, I think, between UNMIK, KFOR and the former Yugoslav Republic of Macedonia.

The Ambassador of Norway raised the question on whether the Albanian Kosovar leaders' commitment to security is sufficient. I impressed upon those leaders, when I visited Kosovo last week, that indeed there had been a lot of international sympathy for Kosovo and that the effort of the international community in Kosovo, as has been recalled by several delegations, is a massive effort. That sympathy would vanish if the commitment of all leaders, Kosovar and Serb, to a multi-ethnic Kosovo were in doubt.

I think that it is important for all leaders to send the right signals in that respect in the functioning, for instance, of municipalities. Tom Koenigs, who is sitting behind me, head of Pillar II and carrying out a very difficult job in Kosovo, could reinforce that point. In our dealings with the municipalities, we continually impress upon them the need to show tolerance when they exert power. I myself made the point that democracy is not the dictatorship of the majority; it is as much the respect of the minority. The mission will continue to impress that point upon all the leaders of Kosovo. I understand that it will take time before that is fully accepted by all the communities of Kosovo.

The Ambassador of Norway also asked about the regional dimension of the situation. I personally believe that the process of stabilization of the Balkans has to combine the bottom-up and the top-down approaches. There has to be a clear message. I think that at the moment the message from the international community is very clear and evident: endless fragmentation and redrawing of borders is leading nowhere and is certainly not a factor for stability.

It is certainly very important that all the communities of Kosovo — and I think the same would apply in a different situation such as Bosnia — understand that tinkering with fundamental principles will not lead to stability and peace. At the same time, if we want stabilization — and that is what is so difficult in the work of UNMIK — there also has to be a bottom-up approach, where the local communities — and in the case of Kosovo we know how many different communities there are — begin to take responsibility and integrate into their own minds those principles, which cannot just be asserted by the top leaders. In that respect — and I think that this connects with what I was saying on focusing on the management of their daily lives — I am concerned when I visit a city like Mitrovica to see that the political agenda of all communities takes over the needs of attending to the practical management issues of a city. I think that the effort of our mission has to be in that direction. This will take time, but if we have a steady hand, I am confident that we will eventually be successful.

The President: I would ask the Council members who have not yet spoken to please concentrate on those

issues that have not yet been dealt with because we need to leave time for our two outside speakers, Yugoslavia and Sweden.

Mr. Kulyk (Ukraine): I would like to join others in expressing our thanks to Under-Secretary-General Guéhenno for his comprehensive and interesting briefing. I would also like to thank him for his answers to the questions that have been asked by previous speakers, which resulted in substantially shortening my remarks.

The briefing proved that, over the period under review, the United Nations Interim Administration Mission in Kosovo (UNMIK) in general has continued to make progress. We support the priorities set out by its head. My delegation welcomes the meeting between Yugoslav President Kostunica and UNMIK's head, Mr. Haekkerup, recently held in Belgrade, as well as its reported results. We are encouraged by the news that the Yugoslav authorities agreed to encourage the Kosovo Serbs to participate in finalizing the legal framework for provisional self-government for the province. We believe that the full participation of Kosovo Serbs, represented and assisted by legal experts from Belgrade in the activities of the relevant working group, would facilitate the solution to the important issue of the Yugoslav authorities' engagement. It is also essential for enabling the Mission to move forward the process of preparing the Kosovo-wide elections, with a view to holding them when all necessary conditions are met.

For its part, UNMIK should redouble its efforts to determine the fate of missing persons in Kosovo — almost one third of them Serbs — as well as to ensure the improvement of security conditions for Serb returnees. The idea mentioned by Mr. Guéhenno of a joint committee is an interesting one and could be supported as an important confidence-building step forward.

Through media reports, it has come to our notice that, at the meeting between the Yugoslav President and UNMIK's head, the prospects for signing an agreement on cooperation between Belgrade and the United Nations Mission in Kosovo were addressed. In this regard, it would be useful for Mr. Guéhenno to give us some more details on this matter, in particular what subjects would be covered by the agreement.

Concerning UNMIK's priority to promote an effective law enforcement and judicial system, we support the idea of concentrating the Mission's efforts in this field under a new, separate pillar. Special focus should be given to measures aimed at combating organized crime, illicit drugs and arms trafficking, as well as money laundering. We thank Mr. Guéhenno for the comments he has just provided on practical measures to that end. We consider that these measures should be strengthened.

We note that the briefing and our discussion so far have not focused only on the situation in Kosovo, but have touched on developments in the whole region. This testifies to the need for an effective regional approach of the international community to the existing problems. The specific remedies needed for Kosovo, the Republic of Macedonia and southern Serbia are different, notwithstanding the importance of general basic principles. In this context, we consider that the initiative of the Russian Foreign Minister, as referred to by Ambassador Lavrov in his statement earlier, on the signing by the countries of the region of a legally binding instrument on their commitment to the basic principles of international law, in particular the inviolability of the borders and territorial integrity, deserves careful study.

We are encouraged by the tendency of the overall security situation in southern Serbia towards stabilization. However, the continued attacks and provocations against the Serbian police, which jeopardize the further negotiation process, are a matter of serious concern.

As far as the situation in the Republic of Macedonia is concerned, we note its gradual de-escalation and look forward to progress in the process of negotiations among all parties, including those representing the ethnic Albanians, to be launched by the Macedonian Government and hope that it will build a momentum for national consensus, which will also positively influence the development of the situation in the entire region.

Mr. Kassé (Mali) (*spoke in French*): At the outset, let me thank Under-Secretary-General Guéhenno for his very detailed update. He has returned from Kosovo with good news, despite the violence that continues on the border between Kosovo and the former Yugoslav Republic of Macedonia.

Against that grim backdrop, we reaffirm our strong condemnation of terrorist acts committed by extremist groups. We say no to ethnic violence and

believe that ethnic extremism only makes the Balkan region more fragile and dangerously compromises the efforts now being made by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the international community. While we wait for this scourge to be suppressed, we continue to encourage UNMIK and the Kosovo Force (KFOR) to redouble their efforts to ensure security at the border between the former Yugoslav Republic of Macedonia and Kosovo.

To return to the good news brought by Mr. Guéhenno, we note with satisfaction the priorities set by the Special Representative of the Secretary-General. We believe them to be good priorities that can be implemented. I do not wish at this point to enumerate all those priorities, but we share the opinions expressed in particular about the elections and their legal framework. My delegation believes, however, that, if UNMIK is to continue to make progress, as it must do, it is important to strengthen cooperation with Belgrade. This cooperation must be enhanced so that certain difficult questions addressed in the Special Representative's priorities can be settled.

It is equally important to end the violence once and for all. Everyone, especially those who have the resources, should help UNMIK and KFOR in that regard. The future of this region, like any in conflict, lies in a political settlement. Coming from a region that is fighting against the illicit traffic in light arms, we fully support the points made by the Ambassadors of Jamaica and Colombia on this issue.

Finally, we support the proposals made by several delegations, beginning with the Ambassador of the Russian Federation, to send a Security Council mission to Kosovo at the appropriate time.

Mr. Cooney (Ireland): I will try to be as brief as possible. I should like to start by thanking Mr. Guéhenno for his very informative briefing and for the thoroughness with which he has answered many of the questions that have been put to him. Sweden is going to speak in a minute on behalf of the European Union, so I will make only a few brief comments here.

We would like to re-emphasize the need to ease frictions between the Albanian Serb and other communities in Kosovo. I would therefore just like to mention a number of areas where we feel there is room for earlier confidence-building measures in this regard.

First, on the unacceptable level of violence against minority ethnic groups, we feel that the Council must insist that those with influence in their communities use that influence correctly to oppose such activities. I warmly welcome Mr. Guéhenno's report that he emphasized to the communities there the need to do this.

Secondly, there is a need for the early return of refugees. This has already been dealt with at some length, but all I would do is encourage the United Nations Interim Administration Mission in Kosovo to continue to give a high priority to its efforts in this regard.

As to the release of the remaining Kosovar Albanian political prisoners, we have already welcomed the action of the Yugoslav authorities in adapting and implementing an Amnesty Law, but I must say that I was surprised to hear from Mr. Guéhenno that over 400 Kosovar Albanians are still in detention. I would just like to ask why this is so and how soon they will be released.

Lastly, on missing persons, we fully support the idea of a joint mechanism or a joint committee to clarify the fate of missing persons, but we would like to see a representation of all affected communities on such a mechanism.

Mr. Neewor (Mauritius): We very much appreciate the comprehensive briefing by Under-Secretary-General Guéhenno. We take note that important progress has been made under the leadership of Mr. Haekkerup to finalize the legal framework for substantial autonomy for Kosovo within the mandate of resolution 1244 (1999).

We welcome the talks between Mr. Haekkerup and President Kostunica, who has agreed to urge Kosovo Serbs to participate in the preparation of the legal framework and in the elections. We regard such dialogue as extremely important for proper implementation of resolution 1244 (1999).

Heeding the President's appeal to be brief, I will comment very briefly on the elections. We believe that for elections to be credible they must not only be free and fair, but all communities must be able to participate in them. That can happen only if conditions of safety and security exist in which minority groups can exercise their franchise freely and without fear or

hindrance. To that end, we consider the following extremely important.

First, all refugees and internally displaced persons should be encouraged to return to their homes. Secondly, the voter registration process should take care to access every potential voter, and the voter list should be as thorough as possible. Thirdly, the legal framework must be such that minority communities feel assured that they will have full rights to adequate representation from the very beginning, not only in the legislature but also in the administration.

Taking into account that the elections in Kosovo will undoubtedly have implications for the whole region is another reason why we have to ensure that the outcome of the Kosovo elections is fully credible by any standard. There are other places where there are multi-ethnic communities and in which democratic elections do take place. I do believe that examples available outside can be looked at by the United Nations Interim Administration Mission in Kosovo in working out the legal framework for Kosovo.

Finally, I hope that the Security Council will have the opportunity to discuss the legal framework when the draft is ready.

The President: Before I turn to non-members of the Council, let me just say a word in my national capacity as the representative of the United Kingdom.

Sweden will make some general points on policy, to which we subscribe, when its representative speaks for the European Union.

I just want to make one point on law and order, which we fully subscribe to as a full priority of the United Nations Interim Administration Mission in Kosovo (UNMIK) — and rightly so. I note Mr. Guéhenno's comment that the number of international judges and prosecutors needs to be doubled. The United Kingdom is very ready to try to contribute to that. But we need a direct formal request, please, and we will act on that. The Secretariat also needs to look at the funding aspects of this as soon as possible. We would be grateful for some guidance on that.

Everybody has focused on the elections, and we do too. But I will not speak in detail. There is obviously a political risk that if you have an election campaign, the wider questions of the future status of Kosovo are going to be opened up. That, of course, is not a reason for not having elections. We have got to move through the stages of bringing Kosovo back to normal political life, and we have to take those risks. But all of us will be watching very closely to see to it that Security Council resolutions are fulfilled and implemented and that the community leaders understand the limits under which they are working, that any changes for the future have got to be agreed, obviously, by the whole community of those who are closely involved.

Finally, we are very pleased that the Special Representative has visited Belgrade and that he has had good discussions with President Kostunica and others. Foreign Minister Cook was there the day before the Special Representative; he also had very constructive discussions with the leaders in Belgrade. I think the tone is beginning to change, and that brings us to the hope that both sides of this question are beginning to understand the need for ethnic reconciliation. I hope that can be taken forward under the new leadership in Belgrade.

I now resume my function as President of the Council.

Turning to non-members of the Council to speak now, I give the floor to the representative of Yugoslavia.

Mr. Sahovic (Yugoslavia): Since this is my first statement in the Security Council this month, allow me at the outset to congratulate you, Mr. President, on your assumption of the presidency for the month of April. I also want to thank Under-Secretary-General Guéhenno for his detailed and very interesting and informative briefing.

In view of the character of this meeting, I will restrict my comments to only some of the issues mentioned here today. From the briefing and the subsequent interventions by the members of the Council, it is evident that the situation in Kosovo and Metohija, the province of the Yugoslav Republic of Serbia, is still a cause for serious concern due to continued violence against non-Albanian communities, primarily the Serb community.

Many outstanding issues remain unresolved — the lack of security for non-Albanians, the absence of conditions for the return of displaced persons to Kosovo and Metohija and the further militarization of the province, to name just a few. Additionally, we are particularly interested that the issue of missing persons

be given urgent attention and that concrete steps be taken to find out what has happened to them. One such step would be the establishment of a joint committee, which has been mentioned here by Mr. Guéhenno.

On the other hand, we should also point out some of the significant positive signs as well. First and foremost, I have in mind the fact that last week President Kostunica met with the Special Representative of the Secretary-General, Mr. Haekkerup. The visit of the Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) to Belgrade, which we warmly welcomed, is a clear manifestation of the readiness for mutual cooperation between the Federal Republic of Yugoslavia and the United Nations Mission in Kosovo. Opening an UNMIK office in Belgrade — and we are looking forward to further discussions on the issue of status — will certainly contribute even further to the promotion of that cooperation. I believe that this will also provide encouragement to the Serbs of Kosovo and Metohija to participate in the process of rebuilding everyday life in the Province.

In that connection, I would like to point out that the question of participation by the representatives of the Serb community of Kosovo and Metohija in the UNMIK Working Group on the elaboration of the legal framework for the elections in the province has been resolved. They are ready to give their constructive contribution. It is of the utmost importance that they be given proper security guarantees, as well as guarantees concerning equal participation in the Working Group. Their number in the organs of local self-government should also be increased.

The elaboration of the legal framework is crucial for the holding of the province-wide elections in Kosovo and Metohija. Indeed, Yugoslavia is interested in cooperating with UNMIK in organizing those elections. Yet, as my delegation has pointed out on many occasions, for those elections to take place it will be necessary to define properly the structures for which the elections will be held, to determine the competencies of the structures, and ensure adequate representation of Serb and other non-Albanian communities in these structures.

The return of displaced persons, at least to those areas where such returns are possible, is also extremely important. Obviously, this is a difficult process, and it should be approached very scrupulously and in strict compliance with the provisions of Security Council resolution 1244 (1999), particularly those relative to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. Therefore, Yugoslavia wants, and should play, an appropriate and active role in the whole process, including the work on the legal framework.

Allow me also to make some comments on another issue mentioned in the briefing: the situation in the ground safety zone in southern Serbia. Violent incidents caused by Albanian extremist and terrorist groups in the area, with casualties on the Serbian side, including among civilians, continue, while the fate of persons abducted by those groups remains unresolved. Yet the Government of my country will not be deterred from pursuing the course of dialogue and bringing about a peaceful political solution to the problem. In that regard, we are continuing to work towards the full implementation of the Covic plan, including further entry by our forces into sectors agreed upon in contacts with the North Atlantic Treaty Organization (NATO).

Regarding the situation in the ground safety zone in southern Serbia and in the neighbouring Republic of Macedonia, I would like to emphasize again on this occasion the importance of recently adopted Security Council resolution 1345 (2001) as a constructive contribution to efforts to end the cycle of violence and to bring stability to the region as a whole. We are also encouraged by the recent additional efforts of KFOR more effectively to control borders and boundaries in the area.

In conclusion, let me reiterate the position of my Government: that true and lasting solutions to the problems in Kosovo and Metohija can be brought about only by full and consistent implementation of Security Council resolution 1244 (1999) and through dialogue and cooperation, to which the Federal Republic of Yugoslavia remains fully committed.

The President: The next speaker is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I thank Mr. Guéhenno for his very informative briefing; he left no questions unanswered. As members know, I have the honour to speak on behalf of the European Union and on behalf of all the associated countries of the European Union, as well as of the European Free Trade Association

country member of the European Economic Area Iceland.

I will spare the Council my full statement, copies of which are available to members. Let me pick out just three points. First of all, I would mention the situation of minorities in Kosovo. According to recent reports from the Office of the United Nations High Commissioner for Refugees and the Organization for Security and Cooperation in Europe, the situation is getting worse and worse. But not only that: there are signs that these terrorist acts, harassment and attacks are increasingly well coordinated and organized. It is therefore so important to insist that all political leaders, especially Kosovo Albanian leaders, act in deeds as well as in words.

My second point relates to missing persons. I welcome the constructive attitude just expressed by the previous speaker. I would say that it is important to clarify the fate of all missing persons. The setting up of the joint mechanism is one positive step that must be continued.

Thirdly, the European Union welcomes the adoption of Security Council resolution 1345 (2001) regarding the situation in south-eastern Serbia and the Former Yugoslav Republic of Macedonia. At a time when new perspectives for the region are opening up, we wish to underline that there is no future for those who seek to achieve their aims by violent means, whether for nationalist or other causes. The European Union will support only those who choose the path of peace, democracy, reconciliation and regional cooperation. In that context, we welcome the signing today of the Stabilization and Association Agreement between the European Union and the former Yugoslav Republic of Macedonia.

Finally, Ambassador Mahbubani evoked the ghost in *Hamlet* and put some questions. I would say that the difference between Hamlet's times and these times is that we have hundreds of thousands of ghosts to deal with — and that is why we are here.

The President: I thank the representative of Sweden for distributing the text of the Swedish statement on behalf of the European Union and for confining himself, in this format, to oral comments. I find that a very useful approach in our interactive mode, and recommend it to other non-members of the Council when they wish to represent their views in Council debates in this style.

I see that the Under-Secretary-General has some final brief comments on the latest statements, and I call on him now.

Mr. Guéhenno: There were a few questions still to be answered. In fact, I forgot to answer a question on Montenegro that was put by the delegation of Norway. I do not want to prejudge the outcome of the elections and the future path that Montenegro will take. When I was in Kosovo, I heard very conflicting assessments of what that impact would be. I am sorry to have an answer that is more a question than an answer, but I think that is the honest status of our thinking at the moment on that impact.

Ukraine raised the question of how the agreement with Belgrade was developing. What is now under negotiation is a Status of Mission Agreement between the Federal Republic of Yugoslavia authorities and the liaison office of the United Nations Interim Administration Mission in Kosovo (UNMIK). I am pleased to say that we heard after the meeting between President Kostunica and the Special Representative of the Secretary-General that such a meeting should be concluded very soon; it will help address both substantive issues that we have discussed this morning and also very practical issues relating to the establishment of that office in Belgrade.

Ireland asked why there were still so many Albanians detained in Serbia proper. The Federal Republic of Yugoslavia and Serbian amnesty laws covered political prisoners, but excluded those sentenced under terrorism charges. The 400 prisoners that the representative of Ireland referred to were sentenced under such terrorism charges. I was pleased to hear that President Kostunica has assured the Special Representative of the Secretary-General, Mr. Haekkerup, that that category of cases — and among them is a particularly sensitive group called the Djakovica group — will be dealt with soon. So that should be resolved in the near future.

I think I will stop there for the sake of brevity.

The President: I thank the Under-Secretary-General for his clarifications.

Let me say a very brief word of follow-up and conclusion. Could the Under-Secretary-General pass on to the United Nations Interim Administration Mission in Kosovo (UNMIK) and to the Special Representative of the Secretary-General the Council's very warm thanks for the hard work they are doing on law and

order, on preparation for the elections and on the whole range of business. We recognize the very hard task they have, and we thank them for the work they are doing.

The Council will continue to monitor this issue very closely. Let me just draw from today's discussion the points on which we will continue to need briefing from the Secretariat and on which this morning's discussion has placed emphasis.

Clearly, the elections and the whole political process constitute a vital area. I think we have brought out this morning the importance of organizing the elections in a way that brings the communities together, a point made by the representative of the Russian Federation and by many other speakers. The inclusiveness of the political process is extremely important to the Council in terms of trying to re-form a multi-ethnic Kosovo. We are glad that the business of the Serb representative on the Working Group has been resolved; that is a good sign. And it is good news that UNMIK is establishing a proper office in Belgrade, with communication flowing from it and to it.

Law and order is very clearly a priority. The new pillar I has been formed and is very welcome. Within that area an accent was put not just on the structures of law and order and the judiciary, but also on the traffic of weapons and the illicit traffic in arms. Jamaica and others referred to that, and we will want to come back to that point if the Secretariat and UNMIK are having problems on it, which they probably will.

The whole security issue is, of course, important, most of all ethnic violence. We are pleased with the progress that has been made, but there is a huge amount to do, not least on extremism. We may come back to extremism when we return to this subject in the Council. We would like the Secretariat and UNMIK to give further thought to that. But the representative of Ireland made the point that community and ethnic leaders must lead on this issue: stay within the law, within the resolutions, within the international framework, and take things steadily, with law and order firmly in mind.

Economic reconstruction is obviously important. It speaks for itself. I am glad to hear from the Under-Secretary-General that it is beginning to be in significantly better shape.

On the humanitarian side, refugees returns, internally displaced persons, missing persons and detainees have all been brought up, and we will want to monitor very closely the progress that is being made in that respect. Bangladesh made a point about the rapporteur on missing persons, on which we would like an answer back to the Council. I think he is reporting to the High Commissioner for Human Rights, but he might like to keep the Council informed.

We have not forgotten the whole regional context. It is a very large context. Macedonia has been mentioned. Southern Serbia has been mentioned. But we approach Kosovo in the regional framework and we want to have broader discussions, maybe privately later this month, on that issue.

We are very conscious that UNMIK has to work with KFOR, with the local communities and with the regional governments, and therefore it is important to us that we have briefings and information, coming particularly from the Kosovo Force (KFOR). We will be in touch with the KFOR leadership to see if we can have an interchange with them on the subject of security in particular.

Finally, many members of the Council mentioned the proposed mission, with support for the idea. That is something that the United Kingdom presidency will follow up during the course of this month. We will have discussions in informal consultations on that, with a view to a timing that does not get in the way of the preparations for the elections. I think we will need to be conscious of that.

I would therefore like to end by thanking the Under-Secretary-General for his very constructive briefing and full answers to questions. I think the nature and style of this meeting has shown its worth in its interactivity.

Just one small word of praise and thanks to those we do not often praise and thank — in addition to the interpreters, who have to put with a lot of adlibbing in this format — and that is to the transcribers and the stenographers, who also have a much more difficult task when we are all speaking off the cuff and not from written remarks. Thank you for the work you do all the time, but particularly for these particular sorts of meetings.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. It will remain seized of the matter.

The meeting rose at 1.25 p.m.